

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Joe Page on 02/23/10.

The application has been amended as follows:

In claim 1, lines 7, 8, and 11, "said thin-disk" has been changed to --the thin-disk--.

In claim 3, line 3 "said thin-disk" has been changed to --the thin-disk--.

REASONS FOR ALLOWANCE

The following is an examiner's statement for reasons of allowance:

The prior art made of record teach an optical in-vivo monitoring system for monitoring states of living tissue. However, none of the prior arts teach or reasonably suggest a thin-disk optical coupling element comprising a pie-wedge shaped waveguide array and exit aperture having a surface whereby light beams enter the array at a certain energy density and exit the aperture at an appreciably higher energy density.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

Art Unit: 3737

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL HUNTLEY whose telephone number is (571)270-1217. The examiner can normally be reached on Monday through Friday, 7:30-4, alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Casler can be reached on 571-272-4956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ruth S. Smith/
Primary Examiner, Art Unit 3737

/DANIEL HUNTLEY/
Examiner, Art Unit 3737

Application/Control Number: 10/780,813
Art Unit: 3737

Page 4